

Message

From: Wilder, Scott [Wilder.Scott@epa.gov]
Sent: 11/23/2015 9:23:28 PM
To: Chalfant, Mark [Chalfant.Mark@epa.gov]
Subject: RE: Anaconda/CFAC--Revised Final AOC as of 11/23/2015

Hi Mark,

They switched issuing institutions from Fifth Third Bank to ABN AMRO Capital USA, which is fine. The language matches our model although since this draft is already signed by the bank, I think it's worth pointing out that they still need to fill in the effective date and CERCLA docket number of the AOC once it is executed. Otherwise, everything else looks good to me.

Scott Wilder
U.S. Environmental Protection Agency
CERCLA Technical Enforcement Program
1200 Sixth Avenue, Suite 900, MS-113
Seattle, WA 98101
206-553-6693

From: Chalfant, Mark
Sent: Monday, November 23, 2015 1:51 PM
To: Wilder, Scott
Subject: FW: Anaconda/CFAC--Revised Final AOC as of 11/23/2015

Scott,
Do you have time to review and compare it against the last version this afternoon?
Mark

From: Otis, Andrew D. [<mailto:aotis@curtis.com>]
Sent: Monday, November 23, 2015 1:49 PM
To: Chalfant, Mark
Cc: Cirian, Mike; Wilder, Scott
Subject: RE: Anaconda/CFAC--Revised Final AOC as of 11/23/2015

Mark,

I will review this with my client and get back to you. Meanwhile, please find attached for your review, a revised draft LOC to be attached to the AOC as Exhibit C. Please let me know whether EPA approves this draft financial assurance letter.

Best regards,

Andrew

From: Chalfant, Mark [<mailto:Chalfant.Mark@epa.gov>]
Sent: Monday, November 23, 2015 3:40 PM
To: Otis, Andrew D.
Cc: Cirian, Mike; Wilder, Scott

Subject: Anaconda/CFAC--Revised Final AOC as of 11/23/2015

Importance: High

Mr. Otis:

I am re-sending a final version of the AOC to you. Although I had stripped out the key provision on past response costs from the AOC, I had neglected to eliminate all of the other references to past response costs as well as interim response costs in the settlement agreement. I have now done that. Attached please find a revised final version of the AOC in a pdf file and a redline version in Word so you can see the changes. I apologize for any confusion.

I understand that we are close to finalizing the RI/FS work plan.

Thank you.

Mark

Mark A.R. Chalfant

Attorney

Legal Enforcement Program

Office of Enforcement, Compliance and Environmental Justice | U.S. EPA Region 8

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